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09/775,042	02/01/2001	Lisa A. Fillebrown	107870.00012	8351
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DOCKET CLERK P.O. DRAWER 800889 DALLAS, TX 75380			EXAMINER MAUNG, ZARNI	
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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* LISA A. FILLEBROWN, RUSSELL D. KAUTZ & KENNETH  
MATTHEW GLOVER

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Application No. 09/775,042  
Technology Center 2400

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Mailed: September 29, 2009

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Before DEBORAH L. PERRY, *Supervisory Paralegal Specialist, Review Team.*

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was electronically received by the Board of Patent Appeals and Interferences on August 24, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed March 17, 2009, reveals that claim(s) and in the Claims appendix of the Appeal Brief is/are not consistent as amended in the last entered amendment filed on February 7, 2008. The copy of the claims should be in proper format and should not include any markings such as brackets or underlining except for claims in a reissue application in accordance with 37 CFR 41.37(c)(1)(viii). Furthermore, the Claims Appendix cannot assume entry of After Final Submissions for which an Advisory Action (or other Office communication) has not advised of entry. *See also Manual of Patent Examining Procedure* (MPEP) § 1205.02 (8<sup>th</sup> ed. Rev. 6, Sept 2007) for details.

Specifically, claim(s), as provided in the Brief's Claims Appendix, reads:

“Claim 14.....the video packet via a wireless protocol.”

“Claim 15.....wherein the wireless protocol is a Bluetooth protocol.”

“Claim 16.....wherein the wireless protocol is the IEEE 802.11 protocol.

“Claim 17.....wherein the wireless protocol is a Home RF protocol.”

“Claim 18.....the packet via a plurality of wireless protocols.”

“Claim 32.....sending a video packet via wireless protocol.”

“Claim 40.....wireless communication link is provided between the first device....”

“Claim 46.....adequately strong to reach a known destination; and...received wireless transmission.”

However, in the last entered Amendment dated February 7, 2008, claim(s):

“Claim 14.....the video packet via at least one of the wireless protocol and the second wireless protocol.”

“Claim 15.....wherein one of the first wireless protocol and the second wireless protocol is a Bluetooth protocol.”

“Claim 16.....wherein one of the first wireless protocol and the second wireless protocol is the IEEE 802.11 protocol.”

“Claim 17.....wherein one of the first wireless protocol and the second wireless protocol is a Home RF protocol.”

“Claim 18.....the packet via the first wireless protocol and the second wireless protocol.”

“Claim 32.....sending a video packet via the first wireless protocol and the second wireless protocol.”

“Claim 40.....wireless communication link is provided between the packet processing system and....”

“Claim 46.....adequately strong to reach the second device;  
and...received wireless transmission before transmitting to the second device.”

Appropriate correction of all claims provided in the Claims Appendix in proper format is required.

#### CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) correction of the Claims Appendix of the Brief filed March 17, 2009; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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